

REMARKS

Claims 1, 3-6, 8-11, 13-15 and 35-51 are pending, with claims 1, 6, 11, and 36 being independent. Claim 36 has been amended for clarity and in response to the rejection under section 112, and claims 37-39, 41-46 and 48-50 have been amended in view of the amendments to claim 36. No new matter has been introduced.

Applicant requests reconsideration and withdrawal of the rejection under section 112 in view of the amendments to claim 36. The amendments are believed to address the Examiner's concerns.

Claims 36-51 have been rejected as being anticipated by Walker (U.S. Patent Publication 2002/0169664). Applicant requests reconsideration and withdrawal of this rejection at least because Walker does not describe or suggest receiving a second transaction record from an organization that configured a business rule, the second transaction record describing completion of a second transaction between the organization and a customer. While the rejection, as best understood, indicates that paragraph [0033] of Walker describes receiving from an organization first and second transaction records that describe completion of first and second transactions between the organization and a customer, this is not the case. Rather, that paragraph merely describes what occurs if an offer is accepted, as well as the incentives and motivations for making and accepting offers. Accordingly, the rejection should be withdrawn.

Should the Examiner choose to maintain the rejection, applicant respectfully requests that the Examiner provide a more coherent explanation of how Walker is believed to describe the claimed subject matter. The current rejection merely points, without explanation, to seemingly unrelated paragraphs of Walker as somehow showing the various aspects of the claims.

Claims 1, 3-6, 8-11, 13-15 and 35 have been rejected as being unpatentable over Walker in view of Gharavy (U.S. Patent Publication 2003/0004840). Applicant requests reconsideration and withdrawal of this rejections for the reasons presented below.

With respect to independent claim 1, applicant requests reconsideration and withdrawal of the rejection because the applied sections of Walker and Gharavy, either alone or in combination, fail to describe or suggest, at least, "communicating to the first market participant

receipt of the electronic data representing the business transaction and validation results of the electronic data representing the business transaction,” as recited in claim 1. While the rejection indicates that Gharavy, at Fig. 4 and paragraph [0125], describes the recited communicating, this is not the case. Rather, Fig. 4 and the noted paragraph merely describe a process by which credential data of distributors associated with transactions is validated and compensation to the distributor is selectively computed based on whether the credentials are valid or not.

Similarly, claims 6 and 11 recite arrangements that “communicate ... receipt of the electronic data representing the business transaction and validation results of the electronic data representing the business transaction” (claims 6 and 11). Accordingly, applicant requests reconsideration and withdrawal of the rejection of claims 6 and 11, and their respective dependent claims, for at least the reasons discussed above with respect to claim 1.

More generally, the rejection fails to establish how the cited references describe the method of claim 1, the apparatus of claim 6, or the article of claim 11. Instead, the rejection merely asserts, without explanation, that certain features of the claims may be found in seemingly unrelated paragraphs of the references. Applicant respectfully submits that, in order to establish a prima facie case of obviousness, the rejection needs to show how the references describe or suggest the method, apparatus or article claimed, rather than merely assert that features of the method, apparatus or article may be found in the references. Thus, should the Examiner choose to maintain the rejection, applicant respectfully requests that the Examiner provide a more coherent explanation of how the references are believed to describe the claimed subject matter.

In addition, one of ordinary skill in the art would have had no motivation to combine Walker, which is directed to a system for providing offers using a billing statement, with Gharavy, which is directed to collective validation of credential data, in the manner set forth in the rejection. In particular, nothing would have led a person of ordinary skill in the art to modify the system of Walker, which is directed to processing individual transactions between a consumer who received a billing statement and the company that sent the billing statement (see

Abstract), and the system of Gharavy, which is applicable to industries in which sales agents or other distributors are required to be credentialed (see Abstract).

While the rejection indicates that the techniques of Gharavy would somehow enhance the accuracy and security of the system of Walker, the rejection identifies no motivation for combining the references and provides no explanation for how they would be combined. Instead, the rejection appears to merely insert elements that are said to be found in the references into the framework set forth by the claims, which is an impermissible hindsight reconstruction of the invention.

For at least these reasons, the rejection should be withdrawn.

Applicant submits that all claims are in condition for allowance.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue, or comment does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment. Applicant reserves the right to prosecute the rejected claims in further prosecution of this or related applications.

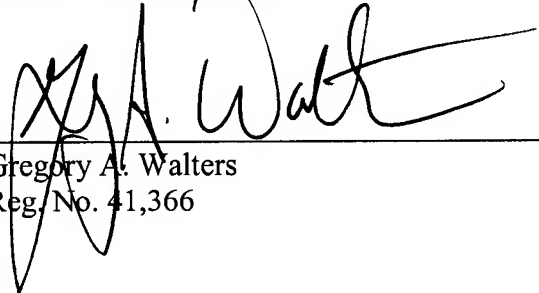
Applicant : Stuart J. Solomon et al.
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Pursuant to 37 CFR §1.136, applicant hereby petitions that the period for response to the action dated December 2, 2005, be extended for two months to and including May 2, 2006. The fees in the amount of \$450 for the two month extension of time fee is being paid herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization.

Respectfully submitted,

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